

Customer No.: 31561
Application No.: 10/065,652
Docket No.: 9822-US-PA

REMARKS

I. Present Status of the Application

The Office Action objected claim 9 because of informalities. The Office Action, under 35 U.S.C. § 102(b), rejected claims 1-3 as being anticipated by Okita et al. (US 4,719,526), rejected claims 4-7 as being anticipated by Hishinuma et al. (US 4,812,932), and rejected claims 8-9 as being anticipated by Ishimatsu et al. (US 5,956,314).

Upon entry of the amendments in this response, claims 1, 4, 5, 8 and 9 are amended; claims 3 and 6 are canceled without prejudice, waiver, or disclaimer. Hence, claims 1, 2, 4, 5 and 7-9 remain pending in the present application, with claims 1, 4 and 8 being independent claims.

Claim 4 is amended by incorporating limitations recited in the original claim 3, and claim 3 is thus canceled. Claim 4 is amended by incorporating limitations recited originally in the original claim 6, and claim 6 is thus canceled. Claim 8 is amended by incorporating a feature that is supported by, for example, Fig. 5, and the specification, paragraph [0031], lines 5-8. Claims 5 and 9 are amended to clear up matters of form. Applicants believe that the foregoing amendments do not introduce new matter. Thus, reconsideration of those claims is respectfully requested.

II. Response to Objections and Rejections

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A. Objections to the claims

The Office Action, at page 2, item 1, objected claim 9 because of informalities. In accordance with the Examiner's request, Applicants have changed "claim 9" to --claim 8--. Accordingly, Applicants respectfully submit that the objection has been overcome and should be withdrawn.

B. Rejections under 35 U.S.C. § 102(b)

1. Okita et al.

The Office Action, at page 2, item 3, rejected claims 1-3 under 35 U.S.C. § 102(b) as being anticipated by Okita et al. Applicants respectfully traverse the rejection as it applies to claims 1 and 2, as amended, for at least the reasons set forth below.

To anticipate a claim, the prior art reference must teach each and every element of the claim. M.P.E.P. § 2131.

The independent claim 1, as amended, recites as follows.

1. A damper comprising:
a radial trench, wherein the radial trench is caved into a lateral surface area of the damper, and a shape of a traversal cross-section parallel to a radius of the damper is not 90-degrees-cyclic-quadrant-symmetric; and

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a longitudinal through-hole that penetrates through the damper and is parallel to a longitude of the damper.

(Emphases added). Apparently, the claimed invention provides a damper including a radial trench and a longitudinal through-hole penetrating *through the damper*.

Okita et al., however, are directed to a damper with a through-hole merely penetrating a *portion* (the upper portion) of the damper if there were a radial trench. Okita et al.'s damper (Fig. 6) includes a rigid portion (Item 40 in Fig. 6) and a bag-shaped rubber member (Items 41 and 42 in Fig. 6). It is clear that when a radial trench is formed at the neck (Item 43 in Fig. 6) of rubber member, a bar-shaped rubber member (Item 42 in Fig. 6) is pushed into the neck (column 3, lines 50-65); thus, Okita et al.'s through-hole penetrates only the upper part of the damper.

Therefore, Okita et al. do not anticipate claim 1, as amended, since Okita et al. do not disclose each and every element of the claim. Consequently, Okita et al. do not anticipate claim 2 dependent on claim 1 as a matter of law.

Accordingly, Applicants respectfully submit that the grounds of rejection have been addressed and the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

2. **Hishinuma et al.**

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The Office Action, at page 3, item 4, rejected claims 4-7 under 35 U.S.C. § 102(b) as being anticipated by Hishinuma et al. Applicants respectfully traverse the rejection as it applies to claims 4, 5 and 7, as amended, for at least the reasons set forth below.

The independent claim 4, as amended, recites as follows.

4. A damper comprising:
a radial trench, wherein the radial trench is caved into a lateral surface area of the damper; and
a slot that is caved into inner lateral surfaces of and intersects with the radial trench.

(Emphases added).

Hishinuma et al., however, are directed to a damper having a slot that is caved into outer but not inner surfaces thereof, and the slot does not intersect with the radial trench of the damper (Fig. 9).

Therefore, Hishinuma et al. do not anticipate claim 1, as amended, since Hishinuma et al. do not disclose each and every element of the claim. Consequently, Hishinuma et al. do not anticipate claims 5 and 7 dependent on claim 4 as a matter of law.

Accordingly, Applicants respectfully submit that the grounds of rejection have been addressed and the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

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3. **Ishimatsu et al.**

The Office Action, at page 3, item 5, rejected claims 8-9 under 35 U.S.C. § 102(b) as being anticipated by Ishimatsu et al. Applicants respectfully traverse the rejection as it applies to claims 8-9, as amended, for at least the reasons set forth below.

The independent claim 8, as amended, recites as follows.

8. A damper structure comprising:

a damper comprising a radial trench which caves into a lateral surface area of the damper and is parallel to a radius of the damper;

a clamp which engages to clamp onto the damper by the radial trench, wherein the clamp has chamfered edges at an end where the clamp clamps onto the damper such that a surface contact area between the clamp and the damper is smaller than an inner surface area of the radial trench.

(Emphasis added).

Ishimatsu et al., however, fail to disclose the claimed feature that the clamp has chamfered edges at the end where the clamp clamps onto the damper. It is evident from the figure that the clamp (Item 211 in Figs. 1 and 2) has un-chamfered edges at the end where the clamp clamps onto the damper.

Therefore, Ishimatsu et al. do not anticipate claim 1, as amended, since Ishimatsu et al. do not disclose each and every element of the claim. Consequently, Ishimatsu et al. do not anticipate claim 9 dependent on claim 8 as a matter of law.

Accordingly, Applicants respectfully submit that the grounds of rejection have been addressed and the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

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CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1,2, 4, 5 and 7-9 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

Date :

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